

7/7/03

**SUBJ: AIRCRAFT WEIGHT AND BALANCE CONTROL PROGRAM AVIATION
RULEMAKING COMMITTEE**

1. PURPOSE. This Order is the charter for the Aircraft Weight and Balance Control Program Aviation Rulemaking Committee. This committee is designated and established by the Administrator's authority under Title 49 of the United States Code (49 U.S.C.), section 106(p)(5).

2. DISTRIBUTION. This Order is distributed to the Associate Administrator for Regulation and Certification, and to the director level in Flight Standards Service; the Office of Rulemaking; Office of the Chief Counsel; and Aircraft Certification Service.

3. BACKGROUND.

a. On January 8, 2003, a Beechcraft 1900D regional commuter airplane experienced a fatal accident on departure. Although the National Transportation Safety Board (NTSB) has yet to determine a probable cause, this accident has raised concerns related to the following:

- Aircraft loading and average weights used in Weight and Balance Control Programs
- Weights depicted in Federal Aviation Administration (FAA) Advisory Circular (AC) 120-27C, Aircraft Weight and Balance Control

b. On January 27, 2003, the FAA issued Notice N 8400.40, Weight and Balance Control Programs for 10 to 19 Seat Airplanes Operated Under 14 CFR 121. This Notice requested all Title 14 of the Code of Federal Regulations (14 CFR) part 121 operators of 10–19 passenger seat airplanes to conduct a survey to validate the average weights in their Weight and Balance Control Programs. The survey was conducted over a consecutive 3-day period (Sunday, Monday, and Tuesday) at 30 percent of each operator's city pairs. Of the routes that were sampled, 15 percent of the flights were surveyed. Upon completion of the survey, the air carriers incorporated any increase noted in the passenger, carry-on, or checked baggage average weight into their Weight and Balance Control Programs. However, some air carriers elected to use actual weights until a full survey could be completed as outlined in AC 120-27C.

c. On March 12, 2003, the air carriers reported the results of their surveys. Twenty percent of the total operators noted that they use actual weights, not average weights, and were exempt from this survey. From the data received, the Flight Standards Service determined the following averages:

Item Weighed	Average Weight	Change from Weight Listed in AC 120-27C
5,940 adult passengers, including one personal item	195.63 pounds	+20.63 pounds
3,819 carry-on bags	15.72 pounds	+5.72 pounds
5,522 checked bags	28.81 pounds	+3.81 pounds

d. One air carrier went a step further and reviewed the pilot medical certificates to derive an average flightcrew weight. It found that the average weight for male pilots was 190 pounds. AC 120-27C lists 180 pounds for male flight crewmembers and 130 pounds for female flight crewmembers.

4. OBJECTIVES AND SCOPE.

a. Initially, the committee will focus on the average weights in AC 120-27C. The FAA proposes to establish a core committee for the AC revision project, and assign work groups to aid the committee.

b. The committee's general goal is to comprehensively review AC 120-27C and related regulations. The advisory and regulatory focus will be on 14 CFR part 121 and 135 operators. This review will consider the amendment history of the AC, NTSB and FAA safety recommendations, accident and incident history, industry dynamics and trends, and other factors impacting the currency, applicability, or safety assessment of the AC. The committee will report its recommendations to the Associate Administrator for Regulation and Certification through the Director of Flight Standards. Its suggestions may include recommendations for rulemaking and additional tasks, including implementation strategies.

c. The committee will make recommendations on the following issues:

(1) Determining whether average weight programs for 10–19 passenger seat aircraft operated under parts 121 and 135 should be eliminated or modified to ensure the highest levels of public safety.

(2) Making a survey to determine the average weight of passengers, checked baggage, carry-on baggage, and personal items for incorporation into AC 120-27C. If operators choose to conduct surveys in accordance with AC 120-27C, they may continue to use their validated average weights after the revised AC is published.

(3) Determining average weights of carry-on baggage checked at the gate and/or planeside.

(4) Handling of special groups.

(5) Determining effect on average weights as they relate to specific routes, specific areas, theaters of operations, island operations, and Alaskan operations.

- (6) Addressing seasonal operations (summer v. winter average weights).
- (7) Deciding a time interval between surveys/validations of average weights.
- (8) Validating male/female ratios and continued use of such ratios in average weight programs.
- (9) Achieving international harmonization.
- (10) Evaluating the process for approving a weight and balance control program.
- (11) Determining how to account for oversized or overweight baggage.
- (12) Revising the applicable guidance material.

5. PROCEDURES.

a. The committee provides advice and recommendations to the Director of Flight Standards. The committee acts solely in an advisory capacity.

b. The committee will discuss and present whatever input, guidance, and recommendations its members consider relevant to resolving the issues. Discussion will include, but should not be limited to, the following:

- Operational objectives, recommendations, and requirements
- Recommendations for AC amendments and/or rulemaking necessary to meet objectives
- Guidance material and the implementation strategy and products
- Documentation and technical information to support recommendations

c. Six months from this Order's effective date, the committee will give its first report and written recommendations to the Associate Administrator for Regulation and Certification through the Director of Flight Standards. The committee may make recommendations or complete the tasks before the 6-month due date. Documented issue resolutions, recommended policy decisions, draft guidance material, and/or proposed rulemaking, as appropriate, may be submitted as recommendations.

6. ORGANIZATION AND ADMINISTRATION.

a. The Director of Flight Standards is solely responsible to appoint members or organizations to the committee. The committee will consist of members of the aviation community, including the public and/or other Federal government entities, that represent various viewpoints. The FAA will provide participation and support from all affected lines of business.

b. The Director of Flight Standards is the sponsor of the committee and will select an industry co-chair from the committee membership. The Director also will designate the FAA co-chair for the committee. Once designated, the co-chairs will:

- Determine, in coordination with the other members of the committee, when a meeting is required
- Notify all committee members of the time and place for each meeting
- Form an agenda for and conduct each meeting
- Make certain that detailed minutes are kept for each meeting and certify accuracy of the minutes

c. The committee will submit recommendations and reports to the Director of Flight Standards. The Flight Standards Service will provide administrative support for the committee. It will also provide the chair for this committee. This official will attend all committee meetings.

7. MEMBERSHIP.

a. The FAA will select the core committee membership from approximately six associations and organizations. The membership should be balanced in points of view, interests, and knowledge of the objectives and scope of the committee's tasks. Additional participants may be added as subject matter experts to support sub-committees or work groups, or to provide support to committee members. Each member or participant should represent the identified interest of the affected community.

b. Committee members may include affected aviation associations, air carriers, employee groups or unions, FAA and other government entities, and other aviation industry participants.

8. COST AND COMPENSATION. The estimated cost to the Federal government of the Aircraft Weight and Balance Control Program Aviation Rulemaking Committee (including pro rata share of salaries for FAA employees) is approximately \$20,000. Non-government representatives serve without government compensation and bear all costs related to their participation on the committee.

9. PUBLIC PARTICIPATION. Interested persons or organizations who are not committee members but plan to attend a meeting must first get approval from the Director of Flight Standards, or his/her delegate.

10. AVAILABILITY OF RECORDS. Subject to the conditions of the Freedom of Information Act, Section 522 of Title 5 U.S.C., records, reports, agendas, working papers, and other documents given to or prepared by the committee will be available for public inspection and copying at this address: FAA Flight Standards Service, 800 Independence Avenue, SW., Washington, DC 20591. Fees will be charged for information furnished to the public per the fee schedule in part 7 of Title 49 CFR.

11. PUBLIC INTEREST. The formation of the Aircraft Weight and Balance Control Program Aviation Rulemaking Committee is in the public interest in connection with the performance of duties imposed on FAA by law.

12. EFFECTIVE DATE AND DURATION. This committee is effective July 7, 2003. The committee will exist for 2 years, unless sooner terminated or extended by the Administrator.

/s/ Marion C. Blakey
Administrator